

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

LAUREN AYCOCK,

Plaintiff,

v.

NAVARRO COUNTY,

Defendant.

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Civil Action No. **3:15-CV-3671-L**

ORDER

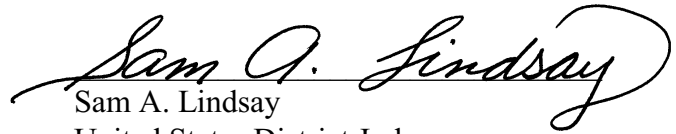
This prisoner case was referred for screening and pretrial management to Magistrate Judge Paul D. Stickney, who entered the Findings, Conclusions and Recommendation of the United States Magistrate Judge (“Report”) on January 29, 2016, recommending that the court abstain from exercising jurisdiction over this action under the *Younger* abstention doctrine and dismiss without prejudice the case. *See* Report 2 (citing *Younger v. Harris*, 401 U.S. 37, 43-45 (1971)). On February 22, 2016, Plaintiff filed objections to the Report.

Having reviewed the pleadings, file, objections, record in this case, and Report, and having conducting a de novo review of that portion of the Report to which objection was made, the court determines that the findings and conclusions of the magistrate judge are correct, and **accepts** them as those of the court. Accordingly, the court **overrules** Plaintiff’s objections and **dismisses without prejudice** this action under the *Younger* abstention doctrine.

The court prospectively **certifies** that any appeal of this action would not be taken in good faith. *See* 28 U.S.C. § 1915(a)(3); Fed. R. App. 24(a)(3). In support of this certification, the court **accepts and incorporates** by reference the Report. *See Baugh v. Taylor*, 117 F.3d 197, 202 and

n.21 (5th Cir. 1997). The court concludes that any appeal of this action would present no legal point of arguable merit and would therefore be frivolous. *Howard v. King*, 707 F.2d 215, 220 (5th Cir. 1983). In the event of an appeal, Plaintiff may challenge this certification by filing a separate motion to proceed *in forma pauperis* on appeal with clerk of the United States Court of Appeals for the Fifth Circuit. *See Baugh*, 117 F.3d at 202; Fed. R. App. 24(a)(5).

It is so ordered this 25th day of February, 2016.


Sam A. Lindsay
United States District Judge